

KASOWITZ BENSON TORRES LLP

1633 BROADWAY
NEW YORK, NEW YORK 10019
(212) 506-1700
FAX: (212) 506-1800

ATLANTA
HOUSTON
LOS ANGELES
MIAMI
NEWARK
SAN FRANCISCO
SILICON VALLEY
WASHINGTON DC

JED I. BERGMAN
DIRECT DIAL: (212) 506-1925
DIRECT FAX: (212) 500-3245
JBERGMAN@KASOWITZ.COM

October 29, 2020

BY U.S. Mail & Email (maurice.pesso@kennedyslaw.com)

Maurice Pessa
Kennedys Law LLP
120 Mountain View Boulevard
Post Office Box 650
Basking Ridge, NJ 07920
USA

Re: Notice of Claim — *Securities and Exchange Commission v. Gerard F. Hug et al.*,
19-cv-16290-ES-ESK (D.N.J.) (the “SEC Enforcement Action”)

Insurer: Allied World National Assurance Company
Insured: SITO Mobile Inc. f/k/a Single Touch Systems, Inc.
Policy No.: 0309-6252
Primary Insurer: Chubb Insurance Company of New Jersey
Primary Policy No.: 8242-8396

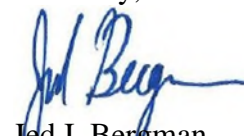
Dear Mr. Pessa:

I am in receipt of your letter dated October 23, 2020. Thank you for confirming that Allied received actual notice of this claim by no later than March 18, 2017.

I write to provide you with further notice that the Chubb Primary Policy is nearing exhaustion, subsequent to which invoices for Mr. Hug’s defense costs will be submitted directly to Allied. Accordingly, and in conformity with your obligations under N.J. Admin. Code §§ 11:2-17.6 and 17.7, please promptly confirm coverage in writing so as to avoid any lapses in coverage and representation.

Mr. Hug reserves all rights, and waives none. We invite you to contact us if you have any questions.

Sincerely,



Jed I. Bergman

cc: Ffiona McDonough